

DECLARATION OF DARRYL CARLSON

JULY, 2008

I, Darryl Carlson, do solemnly declare:

1. On 7.28.08 at 2:30 pm I visited Helen Beatty Auwelo at the Women's Community Correctional Center in Kailua, Oahu, Hawaii.

2. Ms. Auwelo had been considered an alibi witness in July 1995 when police were in the active process of locating James Hina Burkhart as their suspect in the murder of Vilmar Cabaccang.

3. Attached here with please find a Declaration by Ms. Auwelo written by her own hand and from her own memory, where in she declares that "Hina" was at her residence in Kula Maui until 7 pm in the evening, after that she was asleep.

4. Ms. Auwelo has stated she has no knowledge of Hina's whereabouts in the early morning hours as she was asleep.

5. She declares that various undercover officials swarmed her house looking for Hina.

6. As Hina knew the police were looking for him he left their home and never returned, leaving behind his personal belongings.

I DECLARE UNDER THE PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated: July 24, 2008



DARRYL CARLSON

Exhibit D